

### REMARKS

Applicant thanks the Examiner for the Interview held on July 30, 2008.

Claims 1-39 are pending and claims 23-36 are withdrawn. By this amendment, claims 1 and 17 are amended. Support for these claim amendments can be found at least at page 4, line 31 to page 5, line 8 and page 8, lines 5-27 of the specification. No new matter is introduced. Reconsideration and prompt allowance of the claims is respectfully requested.

#### **35 U.S.C. § 103 Rejections**

On page 2 the Office Action rejects claims 1-22 and 37-39 under 35 U.S.C. §103(a) over U.S. Patent 6,278,913 to Jiang (hereafter Jiang) in view of U.S. Published Patent Application 20030093187 to Walker (hereafter Walker). This rejection is respectfully traversed.

Jiang is directed to a data processing system for automating the process of managing flight data and generating reports based on that data. Jiang's system includes a Pilot Log Card for each user to store files that are specific to a pilot and/or an aircraft, as well as flight parameter data collected during a flight. See column 4, lines 6-57 Jiang. The Pilot Log Card of Jiang replaces the paper Pilot Log Book traditionally used. See column 4, lines 48-50. "After termination of the flight, *the pilot withdraws the Pilot Log Card* from the smart log box and *passes it* to Ground Station personnel (layer 4). Data recorded in the memory device is then downloaded by an authorized person to a Ground Station processing station." See column 5, lines 53-57 of Jiang (emphasis added). Therefore, Jiang discloses one of the prior art systems noted in the present application. See page 2, lines 12-13 of the present application ("One approach is to allow aircraft safety personnel to gain access to the flight performance data by *physically removing* the PCMCIA card 130."). The problems associated with this approach are detailed on page 2, lines 15-19 of the present application: "[c]ommunication of the flight performance data is deferred because no remote real-time access is possible. ... manual retrieval ... of the PCMCIA card 130 is very time and manpower intensive. In addition, this approach is prone to substantial misidentification and aircraft association errors." The present application eliminates the need for manual retrieval of data media carrying the flight performance data by *automatically and wirelessly* transmitting the flight performance data to a ground station through a wireless network. This feature is not disclosed or suggested by Jiang.

Further, Jiang's system does not generate an ACMS report *after the fulfillment of one or more exclusive conditions*, which are selected from a group consisting of opening of cargo doors of

the aircraft, a ground speed of the aircraft reaching zero, an engine fuel flow reaching zero, and closing of fuel valves of the aircraft, use the processor embedded in the storage card *to detect whether the ACMS report is generated*, and connect to a ground-based network *after the one or more exclusive conditions are fulfilled* and the ACMS report is generated. Applicant respectfully submits that these features are not addressed in the Office Action and are not disclosed or suggested by Jiang.

Walker is directed to a system that provides accountable remote and robotics control to transportation vehicles. However, Walker does not cure Jiang's defect and does not disclose or suggest generating an ACMS report *after one or more exclusive conditions are fulfilled*, using the processor *embedded in the storage card* to detect whether the ACMS report is generated, connecting to a ground-based network *after the one or more exclusive conditions are fulfilled* and the ACMS report is generated, and *automatically and wirelessly* transmitting the flight performance data to a ground station through a wireless network.

To the contrary, amended claim 1 recites: "the ACMS ... generates an ACMS report *after one or more exclusive conditions are fulfilled*, wherein the one or more exclusive conditions are selected from a group consisting of opening of cargo doors of the aircraft, a ground speed of the aircraft reaching zero, an engine fuel flow reaching zero, and closing of fuel valves of the aircraft; using the processor *embedded in the storage card* to detect whether the ACMS report is generated; *after the one or more exclusive conditions are fulfilled* and the ACMS report is generated, connecting the wireless interface to a ground-based network ... *automatically and wirelessly* transmitting the flight performance data to a ground station through a wireless network," (emphasis added). As noted above, Jiang and Walker, individually and in combination, do not disclose or suggest these features. Accordingly, amended claim 1 is patentable.

Amended claim 17 recites features similar to those of claim 1, and for this reason, claim 17 also is patentable.

Claims 2-16 and 37-39 depend from patentable claim 1; and claims 18-22 depend from patentable claim 17. For these reasons and the additional features they recite, claims 2-16, 18-22, and 37-39 also are patentable.

Withdrawal of the rejection of claims 1-22 and 37-39 under 35 U.S.C. §103(a) is respectfully requested.

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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